App. F. IX-4

Previous References

193 b.
(Mis Say)

File No. 11-36

Serial Nos. 1-9

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 9.

Part B for April 1937

SUBJECT.

Appeal of Mr Hutchveerappa against the order in the matter of recovery of arrears of suppa amount due to Sivaganga Mutt in respect of lands in Sarvamanya Kolihalli and Sangapur Villages.

To Mr Hutchveerappa. Devarahosalli
Nelamangala Taluk
No 135 G.S. 4-3).

WD 0418—GPB—22,500—29-8-36

Recd his series pets as there are no reasons to reverse the order of the Dy Comr
4-3-37"

1

Petition of 3.7.36 filed by Mr M. Ramaswamy Advocate-Chickpet Bangalore City on behalf of Hutchavirappa, Agriculturist Devarahosahalli Sompur Hobli Nelamangala Taluk appealing against the Mysore Commissioner's order in the matter of the recovery of arrears of quit amount due in respect of the lease of Inam lands in Sarvamangala Kelihalli and Sangapur villages Tumkur Taluk belonging to Sri Sivaganga Mutt.

Petition of 3.7.36 filed by the same Advocate praying for a stay of the proceedings taken against his client for the recovery of the arrears due by him.

Minute of the Hon'ble Member of Council on the Petn.d:—

"Presented by Advocate. Stay asked for."

The Section of the Regulation under which the appeal is preferred is not stated by the Advocate.

As a lessee of Inam lands, he had the power was living towards in one of the Sarvamangala Villages of the Tumkur Taluk viz either Kelihalli or Sangapur. Now he seeks time to appeal which he is entitled

NOTE—Contd. Sheet.

- 6 JUL 1936

[illegible] is letter of 24.6.36 addressed to the D.C. Madura Certified Copy of which is appended to the Appeal petition in [illegible] of the case. In view of what is said in para 3 thereof whether the request for a stay order is feasible in the circs

b) the suggestion in para 4 of the petition for settling assessment on cash basis of area - the records will be called for and a report given to the order

6.7.36

No interference with the order of the Munsif Court appears called for as it is stated that the loss if any sustained by the appellant was due to his own indifference and negligence in allowing portions of the leasehold to remain uncultivated. The petition may be rejected

Gen. Secy.

6/7/36

Is it usual to recover as the Sutler amount education cesses? The Board would not have been entitled to levy such cesses if Govt. manage for the Board is the position different?

8/7

Serial No.

Respectfully submitted —

It depends upon the terms mentioned in the lease bond executed by the lessee in favour of the lessor. In this particular case the pres[ent] Huzuranveen appears to have agreed to pay an annual rental of Rs 380/- plus cesses for the period covered by the lease viz. 15 years at the first instance, later on renewable for 5 years as seen from the D.C.s letter No 1531/35-36 of 24.6.36. addressed to the D.C. Tenkasi &c.

(3) Education, Local and Railway cesses are leviable on the Land Revenue or assessment leviable on any land. These cesses do not seem to be payable on the rent payable by a lessee to whom lands are leased for cultivation. The Revenue and L.D.&.Q. branches may be consulted on this point. Attention is invited to paras 319 and 331 of the Revenue manual, Vol. I, on this point.

9.7.36 (Gen. Secy)

des 9/7/36

(4) Please get the records. Also ask if cesses have been included in the demand & if this is usual in order.

des 9/7/36

- 9 JULY 1936 2/8

NOTE—Contn. Sheet.

Draft

File No. 11 of 1936-67

General and Revenue Secretariat

D/- to be issued —
CS 9174 10-7-36. Issued 10/7/36

TYPING SECTION
10 JUL. 1936
GENL & REV. SECTT.

No 67 of 4.7.1936 to the Muzrai Commissioner calling for records & report on the case specified therein. 2

Petition of 1.8.36 filed by Sri M. Ramaswamy Advocate for the appellant stating that further proceedings taken for the recovery of the balance of lease amount due from him may be stayed pending disposal of the appeal but no order staying proceedings appears to have been passed so far. 3 Prok 13.7.36.

Minute of the First member of council on the P.W.D against the portion marked in Para 1 (of the P.W.D):—

14) Note this aspect.

Secretary Gen Sec on the same P.W.D:— D.No 135/mem 3 4.8.36.

Muzrai Rep: Please send the papers.

Immediate

15) The file in original with its annexes has been forwarded w.e. vide no. 107 of 11.7.36 addressed to the M.C.

16) Sri Sivaganga has sent its proposals in case of Management Sarvamanya Kolihalli & Sangapur Villages in Tumkur Tq from the prosperity this month. The appellant was the lessee of Bataji lands in these villages & as he has failed

Serial No.

to pay the Jamma amount as agreed upon by himself, the concerned authorities have perhaps been taking steps to collect the arrears due by him. The lessee is no longer residing in the Tamluk Tk & has been from the P.H.Q. he is residing now in the Nelamangal Tk.

17) In para 3 of the P.H.Q. & the that he is prepared to deposit Rs 2001- the appellant says that he owns landed properties sufficient to cover the arrears due by him & that Tahsildar that this is no criterion for the grant of the stay order sought for

18) The appellant asks that he is a defaulter. It is a point for consideration whether the reasons given are sufficient for the grant of a stay order.

4.8.36.

19) No case is made out for a stay order.

Gen-Secy) dcg 4/8/36

- 4 AUG. 1936

20) Refer minute on the petition dated 11/8/36. The petitioner took certain lands on lease for a period and next year wanted the rent to be reduced on the ground that agricultural produce had gone down in price. The request was refused, and quite properly. The land board is a Statutory Body and cannot

NOTE—Contn Sheet

for the rent. If there is any doubt about the validity of the claim made against him, it is only in respect of the education & other cesses charged on the rent. The ~~Mag~~ Court has been asked if there is one. Otherwise the claim made is quite in order. There is no ground for any stay order. If the pet^r is prepared to deposit any amount pending decision on his application he may make ~~the~~ pay^t of the amount claimed, under protest, and stop the sale of his ~~share~~ property

Issue 4/8 dcg

Issue 21) 6/8 dcg

Draft 22) dcg 7/8/36

23 C/fr. 8/8/36. 24) Issue dcg 8/8/36

No. 219 of 10-8-36 to The Appeal petitioner C/o The Advocate intimating that his request for a stay order cannot be granted and that if he is prepared to deposit the amount pending disposal of his petition he may make

Serial No 3

the payment of the amount claimed to the local officer under protest and stop the sale of his property.

Memo no 220 of 10/8/36 to the Mysore Commissioner forwarding copy of the above endorsement.

Petition of 17-8-1936 filed by Mr. V. Krishna Murthy Advocate Bangalore City on behalf of Mr. Sitaramayya residing at Devanahosahalli. Nelamangala Taluk Bangalore District praying for a stay order.

Orders of the Court on the P.W. 25 : Br. Please issue the usual stay order on the subject. It is noted that this is the third stay order for the same person. The first petn was not considered as the petn itself was noted for rejection in the circumstances noted in para 5 of the note.

The second petn on the subject was rejected. Kind reference is invited to the note & orders in paras 19, 20 & 21 supra. It is noted that the action so far taken is in the interests of the Mutt which is under Govt management. The P.W.D is certainly the proper person

NOTE—Contn Sheet

Vakalat is filed by a different Advocate

1) In the middle of para 5 of the P.A. he says that the money due is in the nature of a return of a Contract to which Sec 3 of the Act Regulation would apply. This dept does not deal with Contracts. It is respectfully submitted that there are no grounds for reconsideration of the order already issued in respect of the stay application for which reference to para 2 of dept's letter No. 156-G-36. 28) Attention is invited to the orders of Govt. contained in endt. No. 219 Mary 11-36-4 dated 10th Aug. 1936 on the petitioner's request

156-G-36 Gen Secy) 2) dcs 18/8/36

The Murrai Court will be asked if the offer of the pet: to pay Rs 200 immediately may be accepted and time given to pay the balance in instalments, (not necessarily so many as pet: may suggest)

Fin Member) Govt 18/8 dcs

SR 1918 Govt 20/8

52) draft dcs 21/8/36

GENERAL 18 AUG. 1936 505

Serial No.

Dft. ord

Issue

GS 21/8/36 dtd 21/8/1936

No 287 dt 24.8.1936 to the Muzrai Commissioner calling for his views on the points raised in the petition dt 17-8-36 from Hutchveerappa of Devanahosally - Nelamangala Taluk.

8.9.36 25/8

Petition dt 2.10.36 from Hutchirappa of Devanahosalli Sondsom Hobli. Nelamangla Taluk praying that an early date might be given for hearing his appeal before the sale already held is confirmed and before the lands in Nelamangla Taluk are put up for auction sale.

) orders of Govt See on the P.w.D. -

* Is the case pending here? Has not priority given on such a petn to his last ?

36 The receipt of a report called for from the M.C. is awaited. (Vide ord No 287 dt 24-8-36 to the M.C).

X M-

37) The petr for a second time presented a petn wherein he prayed for a stay order & this was rejected. (Vide Rolls orders in paras 19-21 supra) - On this time he presented another petn wherein he stated that he had credited in the first instance Rs 200/- to the Treasury & that the order of the least amount would be petr to instalments - It is

X PP 5 & 6 of the note-

NOTE—Contn Sheet

has been called for as stated in para 36 supra.

In his last petn the petr stated that he would pay the lease amount in instalments if remitted; in para 5 of the present petn (P. w. d) he objects a remission of half the lease amount together with cesses - If agreed he will be informed that his request for a remission of any portion of the lease amount cannot be complied with & that his request for paying the balance of the lease amount of Rs 200/- in some instalments he would kindly undertake to remit to the Govt, is receiving attention - Orders with regard to the action of the P. w. d ——

(39) No reply to the petitioner would seem to be necessary till the report called for from the Anupai Comr. is received.

6-12-36. (40) The report of the C is awaited, and the party was given an (A) extension, and it appears he will be ordered as in para 38. (A)

2/12/36

Govt (Secy)

(41) Please send petn to the C & remind him of the report. The petr is changing ground each time. Please send him a reminder

On receipt of this stage the petn is sent due to Dist [illegible]

9/36 2/9/37

Serial No.

4-) Orders of the Gen Sec'y noted in pencil: —
The last petn may be treated as an independent one and sent to M.C. for disposal. Remainder of forwardal is put up with P.W.D and Rev for their Report & disposal accordingly —
GS (45) 12-10-36 12.10.36.

U.O.) Secy. 12/10/36.

Revn Division
No 5459 of 13-10-36.
to the M.C.

Petn sent to M.C with no 5460 of 13-10-36
No 5470 of 13.10.1936 to the Hatchiraalpa, intimating that his petition has been forwarded to the Muzrai Commissioner for disposal.

From 15/10

Letter no C 1531/35-36 of 18.1.1937 from the Muzrai Commissioner stating that a sum of Rs 1438-2-3 is due by Hatchiraalpa to Sri Sevaganga Mutt on account of the lands of the latter taken on lease by him and recommending that if he pays Rs 2000 immediately and mortgages his lands to Govt & undertakes to pay the balance in four annual instalments his offer may be accepted.

X V

27-7-37 vide) Kind attn is invited to the lease bond executed by the petr Hatchiraalpa; the lease period is for 5 yrs from 1930-31 to [illegible]

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—13-7-35

File No. 11 of 1936. | General and Revenue Secretariat

The annual quitta amount payable by him is Rs 380 plus cesses - The pet^r has expressly undertaken to pay the amount as time fixing which he has agreed that his moveable & immoveable properties may be proceeded against for the recovery of the dues by legal process. The sum due by the pet^r is stated to be Rs 1438-2-3 - When the Taluk Tahsildar went to attach the moveable of the pet^r, they found none on the premises, not even the cattle which as per Khanah Shumari numbered 9. Later on when his instructions were issued by the Revenue Manager to Amildar to proceed against the immovable in Devarahalli, the Amildar has on 2/10/36 reported that the estimated cost of properties is over Rs 1000/- Hagd. On 15/10/36 the same Amildar has reported that the estimated value of properties is Rs 2[illegible]/- - This estimate is the one reported by the Revenue Inspector of the Hobli & not as personally gauged by the Amildar himself. The Amildar has in his report of 15/10/36 stated that the sum of Rs 200/- the pet^r has offered is too low considering the quitta amount he has to pay - × Hagd. × H.

Serial No.

I recommended that the balance due may be allowed to be paid in four annual instalments the first one of Rs 308/- on 28-2-1937, provided the lessee gives me mortgage of his land in Devarahosalli. Velappanpet TK. The Khadeem of those lands proposes to security for the sum due by the peon in the name of one Kumara Setti Thimmappa - The Kumaraiah himself was the lessee of the same lands from 1924-25 to 1928-1929 It is not known why the lands in the Khadeem Kumara Setti was given as security for the sum due by Govindarajappa the peon

Flag Qs

x

x Q

(b) The peon in his petition dated 15/10/36 addressed to the D.C. Bangalore he says that he would give Rs 200/- & that the balance would be paid in instalments of Rs 60/- each. His brother that there is no property to give - what he has offered to pay should be accepted by the D.C. as he can't afford to pay the amount at once. The properties belonging to Sri Sivaganga Mutt are under Govt. management & in order to safeguard the Govt. dues it is a matter for consideration

L 31 days balance in process against peon

NOTE—Contn. Sheet.

WL 0417--GPB—30,000—6-9-36

Revenue questions arise on the sale
sale for ... belonging to Sri Sevaganga mutt

Mis. File No of 1936-7 General and Personnel Sc

Serial No

this Mic. may be called to ascertain & report further
of the ~~records~~ is prepared to give
additional Collateral Security for
the balance after paying Rs 200/- 938-2-5
Once on 2-11-36 i.e the date of the Sales
lands is advertised by the local Officials.
& Rs 2000/- once on or before the 28th Feb 37
As per proposal by the Amildar — (Flag A)

4) [illegible] —

48) The Dy. Comr., Banga-
lore Dt., and the Munsiff
Comr. state that the defaulter's proposal
to pay Rs 200 may be accepted and that
he may be asked to pay the balance in
four annual instalments, his property in
Devarahosahalli, which is valued at
Rs 2300/- being mortgaged to Govt. as
security for the arrears due by him. The
Munsiff Comr. has proposals are submitted
for orders with reference to the General
Secretary's orders contained in para
25.1.37. 30 of the notes.

49) The recommendation of D.C. Bangalore
District which is supported by the A.C may be
~~has~~ approved

2/25/1/-

Gen Secy)

GENERAL
26 JAN. 1937
739

Re: Recovery of grilla amount due on Lr. ? — Re levying same

Mlz appl no) belonging to
Mlz) of 36-87

General and Revenue Secretariat — Mlz File No. 11 — of 1936. — [App. F. III—2

Serial No	
	50 The recommendation of the Hon Comr— may be appd. Refer order in para 31 x

x Page 8 of Mlz

Hon 28/9/37 Sd/-

First Member) 51) Sd/- 6/2 Hon 8/2 Sd/-

52) Sd/- 16/2 10.2.37. 53) Hon Sd/- 7/2/37.

6 G.O no 1132—6 dy 12.2.1937 directing among other matters that Hutchiviappa shall pay immediately Rs 200/- and the balance of grilla amount in four annual instalments—

54) Sd/- 13/2 13.2.37. Endt. from Collr. dy 1.2.37. Sd/- 15/2/37.

7 Endt no 1139 dy 13.2.1937 to Mr. Hutchiviappa of Devanahosalli-Nelamangala Taluk intimating that he shall pay immediately Rs 200/— and that the rest be paid in four annual instalments—

NOTE—Cover Sheet.

WD 0417 -GPL—30,000—8 9-36

Mag File No. 11 of 1936. | General and Revenue Secretariat

Serial No.

Petition of 17.3.37 from Hutchiriappa residing in Devarhosalli Sampan Hobli - Nelamangala Taluk praying for a reconsideration of orders conveyed to him in Endt No 1139/Mag 11-36-7 of 13-2-37 | x 4.

2 In respect of applications from this petr, vide remarks of the Secretariat in para 4 of the note - viz that the petr is changing | x Page 10

3 Endorsement is invited to memo's letter No CR551 of 1937 & Endt No 1132-6 of 12-2-37 issued in the matter - | x D

x S.

The amount due from the petr is in respect of Sivaganga Mill lands leased to him for Panchsal Gutta from 30-31; Govt are managing the mill properties in his petn of 1.8.36 the petr has stated that he is prepared to deposit Rs 200/- in the Th Ty towards the arrears & did in on this consideration he was allowed four years time to pay the balance in 4 annual instalments.

4 Now in para 4 of the P.M.O the petr says that he has only at present Rs 100/- with him & that he would make up the rest within a week's time -

P. (Para 3 of the letter)

Serial No.

x S.

It is submitted that these representations are to be made before the D.C. as whose recommendation the G.O. of 12.2.37 was passed — the other points urged have already been set forth in the previous petitions & has been No further consideration is called for. If asked, the petitioner will be forwarded to M.C. for favour of instructions as to the light of the Govt order of 12.2.37 & the petitioner informed that none of his representations can be considered.

S 58 The petitioner has not brought forward any new grounds for appealing against the orders of Govt. in the matter contained in G.O. No. 1132-6 Ann. dated 11th May. 1937. Attention is invited to the Asst. Secretary's note contained in para 5 and 49 of the notes and the General Secretary's note contained in paras 20 and 50 of the notes.

S 59) As regards the contentions of the petitioner in paras 2 a), b) and c), with reference to the letter of M.C. dated 16th January 1937 and the 24.6.1936, and the M.C has decided

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—8-9-36

No 120 of 1936-37

18) Review petn of Sivaganga Estate for further concessions re: payment of Sista due by him in respect of certain

1/113 File No. 11 of 1936. Sivaganga Estate Lands. General and Revenue Secretariat

Serial No.

stated that the lands land and the petitioner are very fertile, and that the petitioner raised very good crops in the early period of his tenancy lease, and that in the latter period by his own indifference and negligence he allowed certain portions of the land to remain barren, which certainly cannot be advanced as an argument in favour of remission. As regards the other contention that cesses have wrongly been calculated on the full sista amount, the R.C. states that it is usual to include the cesses in the demand, and in the case of the petitioner the demand is in conformity with the terms of the lease executed by him. It is submitted that the petitioner has put forward no new ground in the present review petition which has not been already considered, and as such his petition may be rejected

Q 29/3/-

Gen Secy)

GENERAL SECRETARY. 29 MAR. 1937 860

6) These requests of the petitioner have been already considered & negatived - There are no grounds for reconsidering the orders already passed The petition may be rejected & the papers filed after issuing a clear & definite order to the petitioner.

First member)

MM 30/3/37

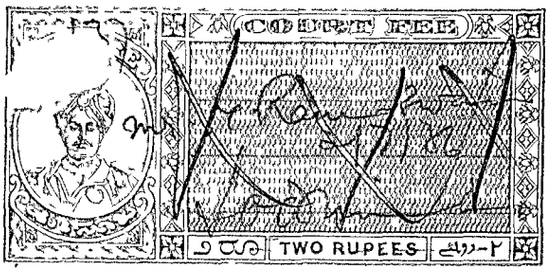
6) JPL 31/3 MM 1/4

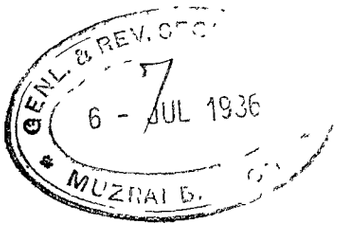
Serial No.	
	D/f. Endn. to the letter dated 2.4.37. GS 2.4.37 2.4.37. 2nd. 2 2/4/
9	Endn No 1354 dt 5-4-37 to Mr Hubeerinabba of Devanahosalli - Nelamangala Taluk intimating that There are no reasons to reconsider the order already passed on the subject. Memo No 1355 dt 5-4-37 to The Muzrai Commissioner forwarding Copy of the above endorsement for his information.

B 14.4.37

NOTE—Contn Sheet.

WD 0417--GPB—80,000—8 9-36





Mzg 11-36-1

THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE,

B A N G A L O R E

Muzrai Appeal No. 7 of 36-37.

Appellant:- Hutchavirappa, age about 35 yrs.
Agriculturist, Residing at
Devarahosalli, Sompur hobli,
Nelamangala Taluk.

The appellant begs to appeal to this Hon'ble Court against the decision of the Muzrai Commissioner in General No. C. 1551 of 35-36 on the following among other grounds:-

1. The facts leading up to this appeal - briefly stated are these. The appellant was granted a five years' lease of the right to cultivate and enjoy the produce of certain lands belonging to the Sivaganga Mutt, the properties which happened to be then under the management of the Government, in Muzrai Commissioner's Office number 837 of 6.6.30 subject to the payment of an annual rent of rupees 380-0-0 and cesses. The lands comprised in the - lease were survey Nos. 76, 77, 79, 81, 84, 85, 86 87, 88, 93, 94, 95, 96, 154 and 155 of Kolihalli village and survey number 46 of Sangapur village, Tumkur taluk. The lease was to commence in 1930-31 and terminate at the end of the harvest season of 1934-35. The ~~petitioner~~ appellant anticipated that in view of the high prices commanded by agricultural pro-

products at the time, he would have some - margin over the cultivation expenses as well as the lease amount, which would enable him to supplement his rather meagre resources, for bringing up a large family.

2. But contrary to his expectations in this matter, he found that owing to the fall in the prices of agricultural produce even at the termination of the first year of his lease period he was not able to recover even one half of the lease amount he had stipulated to pay. He then sent altogether five petitions to the Amildar, Tumkur Taluk between the dates 18.6.31 to 27-7-31 pointing out the difficulties he was up against, as for instance the fall in the prices of produce and the difficulty of finding ryots to - cultivate 45 acres of land and praying that either the lease amount may be reduced by one half, or in the alternative the lands be resumed by Government and disposed of to some other person. The Amildar issued an endorsement dated 27-7-31 informing the appellant that no reduction was - possible. The appellant then approached the Deputy Commissioner, Tumkur praying for relief in this matter. As this officer gave an endorsement on 31.8.31 stating that the Muzrai Commissioner may be addressed in this connection, the appellant filed a petition dated 7.3.32 before that Officer. The appellant was informed by - means of an endorsement dated 31-5-33 that his application had been sent to the Deputy Commissioner, for enquiry and report. But no orders

orders were passed until quite recently. As the appellant learnt that the papers connected with this case had been sent back by the Deputy Commissioner, Tumkur about a month back, he filed another application on 15-6-36 before the Muzrai Commissioner praying that early orders may be passed in regard to his prayer for relief. The Muzrai Commissioner has now passed final orders to the effect that the appellant is not entitled to any concession. The appellant now begs to appeal to this Hon'ble Court against the decision of the Muzrai Commissioner.

3. The Muzrai Commissioner has observed in the course of his order that the lands in question are very fertile and that the lessee had raised very good crops in the early period of lease and that in the latter period by his own indifference and negligence he had allowed only certain portions of the lease-hold to remain banjar and that therefore no remission could be granted to him. The appellant respectfully submits that the observations made by the Muzrai Commissioner are not justified by the facts established in this case. It would be clear on a reference to the records, that the appellant has been endeavouring, even from the time of the termination of the first year of his period of lease, to induce government to resume the leasehold and dispose of it to some other person, as an alternative to his being continued in the leasehold subject to the payment of half the Gutta amount. He has had to approach the Amildar, the Deputy Commissioner

Muzrai Commissioner, successively with the same prayer but without any relief. The earliest application was filed before the Amildar, Tumkur Taluk on 18-6-31. The Muzrai Commissioner was approached in this matter so far back as 7.3.32. But orders were passed only a few days ago. If the lands were fertile and the leasehold a paying proposition it is submitted, that the lessee would not have asked for the resumption of the leasehold so early as June 1931. During the first three years, the appellant has on an average, realised not even one half of the gutta amount. In the 4th year 1933-34, the crops grown were attached by Government and sold for Rs. 143-0-0 and adjusted towards the arrears payable. In the fifth and last year of the lease period, the appellant had sown Jola, horse gram and paddy; but owing to the adverse seasonal conditions, he was not able to realise anything at all. The appellant also brought this fact to the notice of the Deputy Commissioner by means of an application dated on 18-1-35 and prayed that the lease amount due for 1934-35 be remitted after inspecting the spot. The Muzrai Commissioner has observed that in the later period of the lease period the appellant had allowed certain portions of his leasehold to remain banjar - owing to his own indifference and negligence and that no concession could be shown to him, for this reason. It is submitted that this charge of negligence made against the appellant is not warranted by the circumstances

circumstances of the case. In 1934-35 the appellant had taken every possible care to raise crops; but he was unable to realise anything at all, owing to general failure of crops in that locality owing to adverse seasonal conditions. The pahni extracts may be kindly ~~be~~ sent for and perused in this connection. In the year 1933-34 the appellant, as a matter of fact, got his land irrigated by water drawn from a neighbouring - well, unconnected with the leasehold, after securing the owner's permission. The paddy crops raised, during this year were ~~was~~ attached and sold by Government for Rs. 143/-. There was no object to be gained by the appellant being indifferent about his leasehold, as it was he that stood - to suffer by reason of his indifference. All these go to show, that the causes for failure of the leasehold to be a paying proposition, - must be sought elsewhere than in the conduct of the appellant.

4. There is one significant fact which needs to be mentioned in order to judge what value may be fairely put upon this leasehold. In the month of May last year (i.e. May 1935) this very leasehold was disposed of by Government to one ~~Th~~ Hirehalli Chennappa at an annual rent of - Rs. 195/-. This is less than one half of the Gutta payable by the appellant which amounts to Rs. 421-9-0 including cesses. For all these reasons, the appellant submits that this Hon'ble Court may be pleased to direct that only one half of the lease amount be recovered, remitting

the other half.

5. The appellant ventures to submit that the clause in the mutchalika under which he has bound himself to pay the cesses also is not in accordance with law, as the levy of cesses, the Railway, Education and Local cesses, on - lease amounts of lands managed by Government on behalf of Muzrai Institutions, is not contemplated by law.

6. The appellant learns that penal interest on the amount in arrears has also been included in the sum to be recovered. It is submitted that in view of the representations which are being made since June 1931, the levy of interest is not justified.

7. The appellant learns that the Deputy Commissioner, Tumkur has issued a warrant to the - Deputy Commissioner, Bangalore for the recovery of the sum of Rs. 1,400/- alleged to be due from him. The warrant has been sent for execution to the Deputy Commissioner, Bangalore as the appellant happens to be a resident of Devarahosalli, Nelamangala Taluk. If the warrant is allowed to be executed pending disposal of his appeal, the appellant, who is a poor man with a large family of 9 children to support, will stand to suffer greatly.

8. For the reasons abovementioned, the appellant prays that the order of the Muzrai

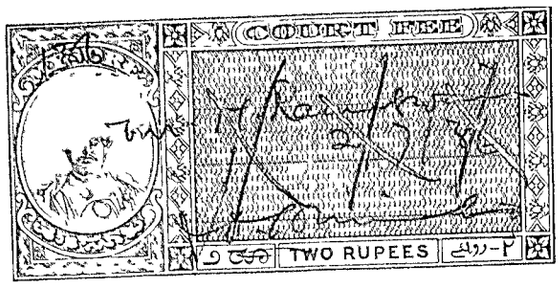
Muzrai Commissioner may be kindly set aside, and that this Hon'ble Court may be pleased to direct that the appellant should pay half of the gutta amount, originally agreed to be paid by him. He further prays that further proceedings in execution of the order passed by the Muzrai Commissioner may be stayed pending disposal of this appeal.

ಶ್ರೀ ಜೆ ಕೆ ಪ್ಪ ನವರು

Sri. Ramaswamy
Advocate Appellt

Bangalore,
1/7/1936.

3rd
(A Separate Stay application has also
been filed)



'HE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE,

B A N G A L O R E.

Muz. Appeal No. of 36-37.

Appellant:- Hutchavirappa, age about 35 yrs. Agriculturist, Residing at Devarahosalli, Somapur Hobli, Nelamangala.

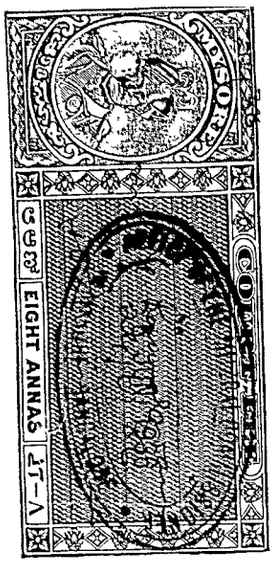
The Appellant begs to submit as follows:-

For reasons mentioned in the main application, the appellant prays that further proceedings in execution of the order passed by the Muzrai - Commissioner may be stayed pending disposal of - this appeal. The appellant learns, that the warrant for recovery of the arrears has been sent to the Amildar, Nelamangala Taluk, Bangalore District for execution.

BANGALORE,)
2/7/1936.)

M. Ramaswamy
adv for the appellant

3rd



From,

The Musrai Commissioner in
Mysore, Bangalore

To,

The Deputy Commissioner,
Tumkur District

Dated 24-6-1936.

Genl: No C 1551/35-36.

Sir,

(1) With reference to your Letter No. M.2486/35-36 dated 15-5-36 re the recovery of half the rent due for 4 years from 1931-32 by one S Hutchavecrappa on the Bataji lands in Sawamanga Kolihalli and Sanga-pura villages, Tumkur Taluk, belonging to the Sri Sivaganga Mutt, I have the honor to state that the records clearly show that the lessee did not take up the lands in open auction and by competition as stated in Sub Division Officer's report dated 2-3-36. But the lands were leased out to him on an annual rent of Rs 380 plus cesses for 15 years in the first instance which period was subsequently reduced to 5 years in this Office letter No. L Dis: 837/29-30 dated 6-6-30 as a result of numerous representations made by him.

(2) In view of the villagers' mahazar dated 31-3-1934 and in the circumstances explained in the Amildar's report dated 29-5-1934 and in the Sub-division Officer's report dated 31-3-1934, it is established that the lands in question are very fertile and that the lessee raised very good crops in the early period of lease and that in latter period by his own indifference and negligence he allowed only certain portions of the lease hold to remain kanjar which cannot be advanced as an argument in favor of remission

(3) No case has been made out for remitting any portion of the arrears and I request that coercive action may be taken immediately to recover the dues and the result reported to this office not later than 15th July 1936. x x x x

x x.

The records are returned.

I have the honor to be,
Sir,
Your most obedient servant
Sd/. K. V. Anantharamaiah,
Asst. Comr.

Copy applied for by Mr. H. Ramaswamy on 25-6-36
" ready on 26.6.36.
" delivered on 26-6-36
No. of words 250
Copying fees 0-6-0.
Comparing 0-1-0

Total 0-7-0

Copied by S Satyanarayana
Compared by H Hanumanthaiah

Copy "
M Gamst Wolmuth
Manager Kush Coin's

OFFICE OF THE MYSORE RESIDENCY BANGALORE 26 JUN 1936

Office of the Muzrai Commissioner in Mysore.

No. 153 / 35-6

Dated Bangalore, 24-6-1936

Endorsement *granted to* Hutchaveerappa, son of Thimmanna, agriculturist,

Petition Register No. C.1551/35-36

Dated 15-6-36

Subject :—

Re. the recovery of arrears of gutta amount due by him in respect of the lease of the batayi lands in sarvamanya Kolihalli and Sangapur villages in Tumkur Taluk.

Devarahosahalli, Holalangala Taluk.

(through i.r.l. Ramaswamy, b.a., b.l.,

advocate, 92, Chicknet, Bangalore

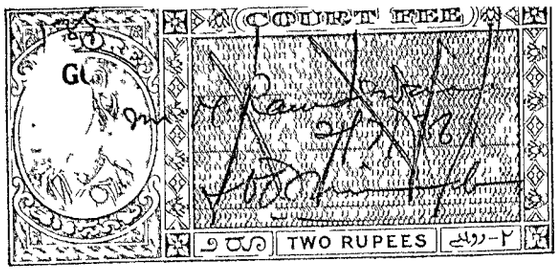
City. *in reply to his Petition Register No. as per margin.*

The Petitioner is informed that his request cannot be granted.

M N Ramachar

Muzrai Commissioner.

WD 0241—PB—500—19-9-35



Before The Government of His Highness The Maharaja

ಕೋರ್ಟ್‌ನಲ್ಲಿ

Mysore, Bangalore

Mys. ಬೆಂಗಳೂರು /36-37

19 —19 ನೇ ನಂಬರು

~~ಫಾದಿಯಾ~~ ಅರ್ಜಿದಾರ್ ಪ್ರತಿವಾದಿ ಯಾ ಅಪ್ಪೊನೆಂಟ್

Intach Vir appa

Vs

M. Ramaswamy BA BL
Advocate
92, Chickpet
Bangalore City.

Applicant ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ.

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಜ್ಞೈರುವರಿಗೂ ಕೋರ್ಟ್‌ನಲ್ಲಿ ವಿವಾದ ನಡೆಸುವುದಕ್ಕೂ ನನ್ನ ಪರವಾಗಿ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ ಜಾರೀ ಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲುಮಾಡಿ ಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟ್‌ನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು, ಪ್ರೋಸೆಸ್ ಸ್ಟ್ಯಾಂಪು, ದಾವಾಸ್ಟ್ಯಾಂಪು ಸಹ ವಡೆಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ, ಮೇಲ್ಕಂಡ ಕೇಸಿನಲ್ಲಿ ರಾಜಿ ವಗೈರೆ ಮಾಡಿಕೊಳ್ಳಲಿಕ್ಕೂ ಮೊಖದ್ದಮೆಯನ್ನು ವಾಪಸ್ ವಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಥೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡೆಯಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇರುತ್ತೇನೆ.

ತಾರೀಖು ರುಜು

ಈ ಮೊಕ್ತಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ವರಿಚಯಸ್ತರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಅಡ್ವೊಕೇಟ್ಸ್

ಈ ಮೊಕ್ತಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದೇನೆ

accepted
M. Ramaswamy
ಅಡ್ವೊಕೇಟ್ಸ್
Advocate for the applt
1/7/36

ಬಿ. ಯಸ್. ಕೋಳವಾಡ್ ಆಂಡ್ ಬ್ರದರ್ಸ್, ಬಂಗಳೂರು ಸಿಟಿ.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 67 Jud 11-36-2 Dated, Bangalore, 11th July 1936 193

Encl Appl Petn and Rec Pap

From

The *General Secretary to the Government of His Highnes the Maharaja o*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

In forwarding herewith the appeal petition of Hutchavirappa residing at Devadosalli, Sompur Hobli, Kelamangala Taluk together with its enclosures appealing against your order No.C.1551/35-36 dated 24th June 1936 about the recovery of arrears of Kutta amount due by him on account of the Kotayi lands in Sarvadnya Kolihalli and Gangapur villages in Sumsur Taluk belonging to Sri Sivaganga Mutt, I am directed to request you to be so good as to submit the entire records connected with the case together with a report on the points raised in the appeal petition. A report may also be sent on the point as to whether cesses have been included in the demand in this case and if so whether this is usual and in order. The petition may be returned with the records.

I have the honor to be,

Sir,

Your most obedient servant,

for General Secretary to Govt.

c.n.3

Appendix F G—1]

SUBJECT .....

.....

.....

Section Mu3

File No. 11-36

Serial No. 2

Diary No. of letter replied to .....

No. 107

Encl petn and papers

To

The D.C.

General and Revenue Secretariat

( )

the *193*

Sir,

I forwarding herewith the appeal petition of ~~an Arecanut to Slave Hut~~ ~~one~~ Hutchavi alias residing at Devarahosalli, Sompura Hobli, Nelamangala Tk. (together with its enclosures) appealing ~~has filed~~ ~~appeal~~ against your order no C153-1/35-36 dt 24.6.36 about the recovery of arrears of peishkash amounts due by him on account of the balage lands in Sarvamangala, Sukali and Sangapura villages in Thurkur Tk. belonging to Sri Sivaganga Mt.

Date of issue .. 11-7-36

Signed by .....

List of enclosures .....

Copied by .....

Examined by.....

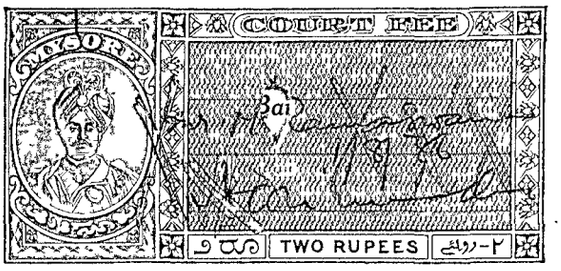
WD 01956—GPB—22,500—12-6-34

and he has also furnished a
Copy of your communication Govt No C
1351/35-36 dt 24.6.36 addressed
to the D.C. Trichy Dt. on the
Subject, In this connection I am directed
to request you to be so good
as to submit the entire records
connected with the case. And to examine
& state if cases have
been included in the demand
in this case & if so whether
this is usual for all. —
the returns of the petition is granted, may be
I have &c. returned with
the records

dsg 10/7/36

For Gen Sec

Dno 133 Muz 8 4 8 36



OFFICE OF THE JEW...
AT MYSORE.
1.8.36
96

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

BANGALORE.

Muz 11-36-3

4.8.36

Muz. Appl. of 36-37.

Appellant:- Hutchvirappa, age about 35 years, Agriculturist, residing at Devarahosalli, Sompur Hobli, Nelamangala Taluk.

The Appellant begs to submit as follows:-

1. The appellant has preferred an appeal to this hon'ble Court against the decision of the Muzrai Commissioner refusing to remit one half of his lease amount payable by him in respect of certain lands, belonging to the Sivaganga Mutt, of which he happened to be a lessee for five years; and the same is pending decision before this Hon'ble Court. The appellant had prayed that further proceedings taken for the recovery of the balance of lease amount due from him may be stayed pending disposal of the appeal; but no order staying proceedings appears to have been passed so far.

2. Two of the appellants's lands, one dry land and another garden worth about Rs. 350/-; and situated in Tumkur Taluk have been attached for the recovery of the arrears of lease amount and the

and the sale is fixed to take place on 22-8-36 The Revenue authorities are also taking steps to bring to sale immoveables properties of the appellant valued at about Rs. 2,000/- which are situated in Nelamangala Taluk, Bangalore District If the sales are allowed to take place, the appellant will be put to great hardship as he will be deprived of the means of livelihood for himself and his family.

3. The appellant is prepared to deposit Rs.200/- in the Taluk treasury towards the arrears payable. The properties of the appellant are sufficient to cover the arrears due from him. The appellant will abide by the decision of this Hon'ble Court in regard to the amount which may ultimately be decided as being payable by him.

4. The appellant therefore respectfully prays that this Hon'ble Court may be pleased to stay further proceedings in execution of the order passed by the Muzrai Commissioner, pending disposal of this appeal. [The appeal was filed on 3.7.36]

Bangalore,
~~31/7/1936~~.
1.8.36

Sri. Rama Rao
adv for appellt
1/8/36

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore 10th August 193(

No. 219
Jmuz 11-36-4

ENDORSEMENT

Sri. Muthuviranna,
c/o Sri. Ramaswami, B.A., B.L.,
Advocate, Chickpet, Bangalore City.

With reference to his petition dated 1st August 1936 requesting the stay of further proceedings in regard to the execution of the order passed by the Mysore Commissioner pending disposal of the appeal preferred before Government in the matter of the arrears of land revenue amount due by him on certain lands in the Sindhaghatta, belonging to the Srirangapatna Mutt, Muthuvirappa is informed that his request cannot be granted. If he is prepared to deposit the amount pending disposal of the petition, he may make the payment of the amount claimed to the local officer under protest and stop the sale of his property.

By Order,

(Sd.) D.C.S

General Secretary to Government.

AG
RG
18/8 S.R.A

Appendix F G—1]

SUBJECT .....

.....

.....

Section A 1 3

File No. 11-36

Serial No. 4

4 Cards

Diary No. of letter replied to 135

No 219

To

Mr Hutchivisappa

C/o Mr. M. Ramaswamy

Advocate. Chickballapur

General and Revenue Secretariat

( )

the *193*

te of issue 10/8/36 .....

ned by Mr. D.C.S.

With reference his petition dt 1.8.36 requesting the stay of proceedings in regard to the execution of the order passed by the M.C. pending disposal of the appeal preferred before Sessions in the matter of the arrears of lease amount due in the Jewellum Tk. by him on certain lands belonging to Sri Venkatesha Mutt, Mr. Hutchivisappa is informed that his request cannot be granted.

List of enclosures .....

Copied by .....

Examined by.....

WD 01956—GPB—22,500—12-6-36

disposal of his estate.
~~Executors of his Estate~~, he
may / the payment of the
Amount claimed / under notes
and Hire Purchase Agreements
as /

B-O

Memo no 220 of 10/8/36. Forgery
Cons[illegible] m.c. in Continuation
of his Petition [illegible]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 24th Aug. 1936.

No. 287 Rec'd file 41

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

In forwarding herewith petition dated 17.8.1936, from Hutchaveerappa residing at Devarahosalli in Nelamangala Taluk, in the matter of the recovery of the arrears of gutta amount due by him in respect of certain lands in Sarvamanya Kolihalli and Sangapur Villages in the Tumkur Taluk belonging to Sri Sivaganga Mutt that had been leased to him, I am directed to request you to be so good as to state whether the petitioner has got at present sufficient unencumbered landed property to cover his liability to the mutt, whether his offer to pay Rs.200/- immediately may be accepted and time allowed to him to pay the balance in instalments (not necessarily as many as the petitioner suggests). The petition in original may be returned with your reply.

I have the honour to be,
Sir,
Your most obedient servant,

General Secretary to Government.

K.M.P.2.

Appendix F G—1]

SUBJECT .....

.....

.....

Section Mag

File No. 11-36

Serial No.

Diary No. of letter replied to ..... 184 .....

No. 287 Encl file

To

The M.C

General and Revenue Secretariat

( )

the *193* .

Sir,

In forwarding herewith
for 9 11. 8. 36 pm
receipt of Devarahalli
Nelamangala Tk. in two drafts
for the receipts of
the arrears of Sulkas
Amount due by the
renters of the 8
Devarayanapura Kothalli &
1 Pattanavara Kothalli
Tk belonging to Sri Ranga
with the Sarkar
from them
to you.

Date of issue 21-8-36

Signed by .... Subbarayappa

List of enclosures .....

Copied 21 AUG 1936 TYPING REV. SECTT.

Examined by.....

Order of the Dist Collector

= Asstt

WD 01956—GPB—22,500—12-6-34

As I have taken the
best (sufficient) measurements
for the present I have
thought ~~sufficient~~ to cover
his liability to the Insurance
Company, whether his offer of Rs 200
is immediately may be accepted and
~~I~~ time allowed, to him
Sahib is in hospital
& (as many as the
readings suggest). The
Company may be informed
Certificate ~~from~~ ~~Dr~~ ~~Jones~~ ~~Jones~~

Thanks

Yours sincerely
21/8/36
Dr Jones

(Death in hospital
of 11th Aug. 36)

4 S Sikes
21 8 36

Please quote this number in your future comm unications
No. S.471

Office of the Dy. R. I. Jaffna

Dated Bangalore 12/11/1926

ENDORSEMENT.

To Hutchi Pakkir
residing in Devarahosahalli
Sompur Hobli – Nelamangala Tk.

Reference:—His/Her letter/petition dated 2/10/26

Subject:— Remission of half the assessment of certain lands in Kolihalli & Sangapura Villages together with the cesses thereon in respect of Tirthum Tk. belonging to Sri Varadaraja Mutt.

Reference is invited to item No 2 below.

B.O

Signature. Hi Sajan Imam

Designation. for Govt. Secy

O/C

---

1. The request cannot be granted.
2. The letter/petition has been referred to The Collector for disposal.
3. Attention is drawn to this office No. ..... dated .....
4. No..... dated..... ..... cannot be traced; a copy may be sent.
5. The enclosures are not received.
6. The petition is returned herewith as
   (i) it is not in the prescribed form
   or (ii) it is not duly stamped
   or (iii) it is not presented within the prescribed time
   or (iv) it is not accompanied by a copy of the order appealed from or complained of.
7. The petition is returned for presentation to .....
8. The petition is returned
   (*a*) as it is written illegibly
   (*b*) as its subject matter is not clear
   (*c*) as it is couched in improper language.

Reasons if any to be mentioned in brief

WD 01724—GPB—8,000—28 4-

M 9 18.]
No. C.155/35-36
Encl - one + 2 files

GENERAL SECRET 695 21 JAN. 1937

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Bangalore, 19th January 1937

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

Venkatesa Iyengar, Esq.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General Department.

GENERAL SECRET 20 JAN. 1937

Sir,

Arrears of gutta amount due by Mutsaddis in respect of Sarvamanya Kelasadi and Kaipuvillages, Tumkur Taluk, belonging to the Sri Ranganatha Mutt.

With reference to correspondence ending with your letter Muz. dated 24th August 1936 calling for further information as above, I have the honour to forward herewith copies of letters M.2486/35-36 dated 8-10-1936 and 30-12-1936 and dated 11-1-1937 from the Deputy Commissioner of Tumkur and Bangalore respectively, furnishing the required information. The latter states a sum of Rs. 1,120-0-0 is due by the Mutsaddis of the two villages mentioned above and that it is doubtful whether the Mutsaddis will agree to the settlement of the balance of gutta. The matter will be submitted for orders as soon as the Mutsaddis agree to the settlement of the balance of gutta.

2. As regards the question raised in the last paragraph of the letter under reply, I have the honour to state that the Mutsaddis are not entitled to claim remission as to how much should be included in the gutta demand in this case. The gutta demand should include, in my opinion, the entire amount due by the Mutsaddis. For instance, where the Mutsaddis executed a lease for three years,

Letter No.L.3436/55-56 dated 2-10-56 from the Deputy Commissioner, Tumkur District, to the Muzrai Commissioner in Mysore.

With reference to your letter No.C.1551/55-56 dated 29th August 1956 calling for a report in the matter of allowing time to the defaulter Hutchaveerappa of Devarahosahalli, Nelamangala Taluk, for clearing his dues toward the Sri Sivaganga Mutha on account of the lease of certain Balayi lands in Sarvamanya Kolihalli and Sangapura villages of the Tumkur Taluk, belonging to the Mutha, I have the honor to state that, the defaulter has got a major portion of his property in Devarahosahalli village, Nelamangala Taluk, Bangalore District, and therefore, the sufficiency or otherwise of the landed property to cover his liabilities will have to be ascertained from the Deputy Commissioner, Bangalore District. As regards the right, title and interest of the defaulter in the marginally noted lands of Kolihalli, Tumkur Taluk, it is stated by the Tumkur Sub Division Officer in his letter No.Gl.842/56-57 dated 21-9-1956, that they were sold by the Amildar on 24-8-1956. S.No.82 fetched a bid of only Rs 10, while others fetched no bids. The sale in respect of S.No.82 is said to have been confirmed by the Tumkur Sub Division Officer.

S.No. 82)
" 1/6)
" 1/7)
" 1/8)

A statement of the properties held by the defaulter both in Devarhosahalli and Kolihalli villages has been got prepared and herewith submitted. The entire records on the subject accompany. A copy of the Sub Division Officer's report is enclosed.

Letter No.C6-752/56-57 dated 31-12-56 from the Deputy Commissioner, Bangalore District, to the Muzrai Commissioner in Mysore.

With reference to your Memo No.C.1551/55-56 dated 28/29-8-1956 forwarding for report copy of petition dated 17-8-1956 presented by Hutchveerappa to Government, in the matter of payment of the arrears of Rs 1,408-3-3 being the gutta amount due by him in respect of certain lands in Sarvamanya Kolihalli and Sangapur villages in Tumkur Taluk, belonging to Sri Sivaganga Mutt I have the honor to state that it is reported that the defaulter possesses lands ~~with~~ worth about Rs 2,505 in Devarahosahalli Village, Nelamangala Taluk, and that they are unencumbered.

The petitioner has also submitted a petition to this office stating that he is paying a kandayam of Rs 50 per annum etc., and prays that a sum of Rs 200 may be accepted from him and that he may be allowed to pay the balance in annual instalments of Rs 40 each.

"COPY"

M. N. Ramalingam

For Mukhtar Commissioner.

[illegible]

---

ned -

titioner dated 1st July 1[illegible] and 1[illegible] ought [illegible] Hutch-
virappa residing in Neversheralli, Channarayapatna Taluk against the
the orders of the Amtal Commissioner, Bangalore in the matter of his
recover of arrears of kuthe due by him on account of certain lands
in Karyamanya Kolihalli and Kempapur villages in the Tumkur Taluk
belonging to ri divyangi [illegible] in favour of Hutch-

2. Correspondence ending with letter No. [illegible]/31-32 dated
16th January 1937 from the Amtal Commissioner, Bangalore [illegible]
the petition referred to above.

Order No. 1132-6 / Misc 11-36-6 Enclosures
and Registered certificate book document D.M.C.

Dated, Bangalore, 12th January 1937.
12th

The petitioner Hutchvirappa [illegible] the lands mentioned
ly noted lands belonging to ri divyangi Hutch [illegible] for 11 years from 1929

S.Nos. 76-7	Karyamanya Kolihalli Tumkur Taluk.	31 for an annual kuthe of Rs.[illegible]/- plus cesses amounting to Rs.[illegible]/-
" 79		
" 81		
" 84-85		
" 93-96		
" 154--5		
and 46 of Kempapur village of the same Taluk.		

letter No. 6 his own account for
period of the lease was reduced to
5 years. Accordingly on 7th July
1930 he executed a bond wherein he undertook to pay in five yearly
amount of Rs.380/- per annum in addition to cesses [illegible] of
5 years with effect from 1930-31 in default of payment of which
amount he has agreed that all his movable and immovable property
may be proceeded against for the recovery of the amount. He failed
to pay the kuthe due from the year 1931-32 and a sum of Rs.1480-7-[illegible]
is now reported to be due by the defaulting lessee Hutchvirappa.
The defaulter now owns lands worth about Rs.[illegible]/- in Neversheralli
and that the said lands are revoked to be unencumbered. The Amtal
Commissioner, Bangalore therefore recommends that if the said Hutch
virappa pays Rs.200/- immediately and executes his lands in
Neversheralli, Channapatna Taluk to Government as security for pay-
ments of arrears of kuthe due by him and undertakes to pay the
balance in four annual instalments [illegible] paid [illegible]

the Muzra Commissioner, Government Pleader, [illegible]
of the Deputy Commissioner, [illegible]
by the Muzra Committee.

[illegible]
section [illegible]
the Collector [illegible]
investment suit under.

The Muzra Commissioner,
The Comptroller to Government,
The Revenue Commissioner,
The Deputy Commissioner, or
The Deputy Commissioner,

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary. No. of letter replied to.....b.s.s.....

General and Revenue Secretariat

( )

the *193* .

Date of issue.....12.....2..... ...193

Signed by Safdar Hussain

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

10 FEB 1937

Section .....

File No. .....

Serial No. .....

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Petitions of 1.7.36 and 1.8.36 from Hutchvieah residing in Devarahosalli Nelamangala Tk appealing against the order of the M.C. in the matter of the recovery of arrears

Order thereon:—No. Grant due to him on account of the lands in Sarvamangala Kolihalli and Sankenahalli in the Tumkur Tk Village bearing Survey No. Sivaganga Hill which were granted to him.

2) Copy of this order

dated
8/N 18.1.37 from the D.C.
Submitting a report on
petitions referred
the ~~Spl~~ ~~reply~~ to above.
order no 1132-6 Encl 1, 2 d/leg and Sub Registrar's certified list of documents to D.M.C

~~the records disclose~~

D.no 3624 2 enclosures were sent on 13-2-37 as enclosures. D.M.C

~~The~~ The Govt. Servant obtained the lease of the Marginally noted lands belonging to Sri Sivaganga Mutt for 15 yrs from 1920-31 ~~on payment of~~ an annual) ~~price~~ of Rs 380/- plus cesses amounting to Rs 41-9-0 ~~on the lands~~ — Later on at his own request the ~~term~~ period of the lease was reduced to 5 years. Accordingly on 7.7.1930 he executed a bond — wherein he undertook to pay in time yearly amount of Rs 380/- ~~per annum~~ in addition to ~~R.C. & Plus~~ cesses for a period of 5 yrs with effect from 1930-31, in default of payment

S. Nos 76-7
" 79
" 81
" 84—88
" 93—96
" 154—5
} Sam Kolikalli Tumkur

& 46 of Sangapura Village. Same Tk.

List of Enclosure

Copied by

Examined by

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

of which amount he has agreed that all his movable and immovable properties may be proceeded against for the recovery of the ~~dues~~ dues —

he ~~has defaulted~~ failed to pay the gultu due from the year 1931-32 and a sum of Rs 14 ? 8-2-3 is now reported to be due by the defaulting lessee.

Hutchvichappa ~~has~~ The defaulter owns lands worth about Rs 2305/- in and Devarahosalli & that are reported to be ~~they~~ encumbered to ~~the~~ The D.C. Bangalore &c. I recommend that if the defaulter Hutchvichappa pays Rs 200/- immediately and mortgages his lands to ~~Government Servants~~ in Devarahosalli, he can ~~be given~~ as security for payment of gultu due by him

WD 0436—3PB—10,000—17 10-33

~~Notwithstanding~~ and made Note,
to pay the balance in
four annual instalments
his offer may be accepted and
& the M.C. agrees ~~with~~ to
~~him to~~ [illegible]
In the circumstances Govt.
are pleased to sanction
the recommendations of the
D.C. Banspani & Dh, ~~forfeited~~ which are supported
by the M.C.

The M.C is requested
to needful further
action in the matter and
see that the arrears
are collected within the prescribed
time from the defaulter
& the same credited
to P. account.

~~Forwarded~~ 2/1914.

~~To~~

The M.C. with records
The Comp^r to Govt
The R.C.
The D.C. Tumlisinde
The D.C. Banspani

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 13t~~h~~ ~~February~~ 1937

~~D.O.No.O.~~ 1139

NO Muz 11-36-7

ENDORSEMENT.

GRANTED TO

Mr. Hutchvirappa,

Residing at Devarhosalli,

Sompur Hobli, Nelamangala Taluk.

With reference to his petitions dated 3rd July 193 and 1st August 1936 appealing against the orders of the Muzrai Commissioner regarding the arrears of gutta amount payable by him on account of certain lands in Sarvamanya Kolihalli and Sangapur villages, Tumkur Taluk belonging to Sri Sivaganga Mutt which were leased to him, Mr. Hutchvirappa is informed that a sum of Rs.1,438-2-3 is due by him. Government in their Order No.1132-6/Muz.11-36-6 dated 12th February 1937 have directed that if he pays Rs.200 immediately and mortgages his lands in Devarhosalli Nelamangala Taluk, to Government as Security for payment of the arrears of gutta due by him and undertakes to pay the balance in four annual instalments, his offer may be accepted.

By Order,

[illegible]

For General Secretary to Government.

95

Appendix F G—1]

SUBJECT .....

.....

.....

Section Mee

File No. 11 – 36

Serial No. 7

Date and No. of letter replied to .....

No. 1139

To

~~The~~ Mr Hutchvaappa

Receiving at Devanhosalli

Sompur Hobli

Nelamangala

General and Revenue Secretariat

( )

the 193 .

Date of issue 17-2-1937

~~Mr~~ Miss Safdar Hussain

Signed by .....

appealing against the orders of the munsif Court regarding

I. The rent of his fees of 3-7-36 and 1-8-36 ~~Nature of~~ the arrears of the amount payable by him on account of his Sarvamanya Kolihalli & Sampapura Inams - Tumkur belonging to ~~Sri~~ Sri Swamiji Mutt which were leased to him, Mr Hutchvaappa as informed

List of enclosures .....

.....

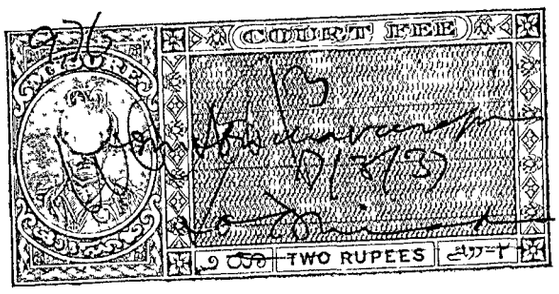
TYPING SECTION GEN. DEPT. 13. FEB. 1937

Examined by .....

WD 01956—GPB—22,500—12-6-34

Order issue 4784 Sec & Govt

order no 1132-6/Miz II-36-16
9/12/37 have directed
that of he pays Rs 2001- immediately
and mortgage his lands in
Deorhosalli, [illegible]
Tk., to Govt. as Security for
payment of the arrears of suits
and Decretal and undertake
to pay the balance in four
annual instalments, in
which may be accepted.



11-36 T 8

GOVERNMENT OF HIS HIGHNESS THE
MAHARAJA OF MYSORE, BANGALORE.

Revision Petition No. 12 of 36-37.

LW
18/3
2/MM.

Petitioner:-

Hutch Veerappa, son of Thimmappa, Agriculturist, residing in Devarhosalli, Sompur Hobli, Nelamangala Taluk:-

Your humble Petitioner begs leave to submit this Revision Petition on the following grounds in regard to Government Endorsement No. 1139/Muz. 11-36-7 dated the 13th Feb. 1937 informing the Petitioner that a sum of Rs. 1,438-2-3 is due by him towards the gutta amount on certain lands in Sarvamanya Kolihalli and Sangapur villages, Tumkur Taluk, belonging to Sivagana Mutt which were leased to him and ordering that in case he pays immediately - Rs. 200/- and mortgages his lands in Devarhosahalli as security for payment of the balance of gutta amount, time would be granted to pay up the same in 4 (four) yearly instalments:

2. Your humble petitioner in his petition dated 3rd July 1936 appealing against the Muzrai Commissioner's Order has specifically submitted for redress three grievances (referred

referred to below for ready reference) seeking equitable orders of Government thereon; but apparently to the misfortune of the appellant, no consideration seems to have been given by the benign Government in respect of any of them, since the order communicated in the above Endorsement (of Government) which evidently relates only to the appellant's prayer for grant of time to pay up the arrears contained in his subsequent petition dated 17-8-1936, is silent about them and further the grant of copy of the Government Order in extense in the matter has been refused as being opposed to rules. (vide Endorsement No. 1214/Muz. dated 1/2nd March 1937.)

(a) Relief was sought for by the appellant by way of remission of half the annual gutta amount of Rs. 380-0-0 for the five years of the lease (1930-31 to 1934-35 both inclusive) on the ground of sudden and abnormal fall in the prices of agricultural produce and the unfavourable seasonal conditions etc., as setforth in paras 2, 3 and 4 of the appeal petition dated 3-7-1936.

(b) Secondly, due consideration has not been given to the appellant's lawful contention made in para 5 of the appeal petition in regard to the illegal levy of local cesses on the gutta amount:- Though the local cesses are legally leviable only on the assessment (Rs. 170-0-0) of the lease lands - and being credited to Government - the local autho-

authorities have wrongly calculated the same on the full gutta amount of Rs. 380/-. At this rate, a sum of nearly Rs. 114-13-6 will have been unauthorisedly recovered in excess for the ~~x~~ five years from the petitioner and credited to the Mutt Accounts and the petitioner accordingly prays that the amount already recovered in excess during the years 1930-31 and 1933-34 he ordered to be refunded and adjusted towards the arrears of gutta proper and orders be issued to the local authorities for the correct levy of the cesses.

(c) Thirdly, no relief has been granted to your humble petitioner as regards his prayer for the waiving of the levy of penal interest on the arrears of gutta amount referred to in para 6 of the appeal Memo dated 3-7-1936 out of the total sum of Rs. 714-9-0 recovered till now from the appellant by the local authorities, it is learnt that a sum of nearly - Rs. 45/- has been adjusted towards interest. This works a great hardship to the appellant and accordingly he prays that the penal interest amount already recovered from him be - ordered to be refunded and adjusted towards the gutta proper.

3. As represented by the appellant in his petition dated the 17th August 1936, he is a poor agriculturist and as such entitled to the relief provided by Government in the Agricultural Relief Regulation, Since the

the surplus annual income accruing from the appellant's lands after meeting the cost of cultivation, as also the maintenance charges of the appellant's family consisting of 13 souls and payment of kandayam to Government does not exceed Rs. 100/- even in a good year the petitioner humbly begs that Government may - kindly fix the annual assessment at a figure not exceeding Rs. 100/- and thus save the appellant from ruination.

4. The appellant begs to state that he has at present about Rs. 100/- with him and will make up the Rs. 200/- in a week's time by selling the current year's produce to enable him to pay the said amount as directed by Government in the endorsement.

5. In conclusion, the Petitioner prays that the Government may be pleased to pass early orders in respect of the reliefs asked for by him in his appeal petition and thus relieve him of anxiety in the matter for which act of kindness he will remain ever grateful.

Bangalore,
17/3/1937.

ಅಪ್ಪಿರಪ್ಪನವರು
Appellant.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 3rd April 19 7.

5-4

~~RxQxNo. 0~~ 1355

Mwz 11-36-9

Mr.Hutchveerappa,
son of Thimmappa,
residing in Devarahosahalli,
Sompur Hobli, Kolamangal Taluk.

With reference to his petition dated 17th March 1937 requesting a reconsideration of the orders passed by Government regarding the arrears of gutta due by him in respect of certain lands in Sarvamanya Kolihalli and Sangapur villages, Tumkur Taluk, belonging to Sri Sivaganga Mutt which were leased to him for five years from the year 1930-31, Mr.Hutchveerappa is informed that his requests have already been considered and negatived and that Government see no reason to reconsider the orders already passed by them in the matter, which were communicated to him in Endorsement No.1139/ Z.11 36-7 dated 13th February 1937. His petition is therefore rejected.

By Order,

Sd/- V.Vedavyasacharya,
General Secretary to Govt.

Memo No. 1355

Mwz

Dated, Bangalore, 3rd April 1937.

5-4

Copy of the above is forwarded with compliments to the [illegible] Commissioner for information.

By Order,

for General Secretary to Government.

GS

Appendix F G—1]

SUBJECT .....

.....

.....

Section Mun

File No. 11-36

Serial No. 9

Diary No. of letter replied to 9048

No. 1354

To

Mr. Hatchveeraffa,
son of Thimmaffa,
residing in Devarahosahalli,
Sompur Hobli, Nela-
mangala Taluk.

General and Revenue Secretariat

( )

tne *193* .

Date of issue 5-4-37

Signed by Mr Safdar Hussain

With reference to his petition dated 17th March 1937 requesting a re-consideration of the orders passed by Govt. regarding the arrears of gutta due by him in respect of certain lands in Sarvamangala Holihalli and Sangapur villages, Tumkur Taluk, belonging to Sri Sivaganga which were leased to him for five years from the year

List of enclosures .....

Copied by .....

1937

Examined by .....

WD 0956—GPB—22,500—12-6-34

Ordered in Govt. Secy 214/37

Fasli

G3
214

Mr. Hutchveeraffa is informed that his requests have already been considered and ... and that Govt. see no reason to re-consider the orders already passed ... in the matter, which were communicated to him in endt. no ... 11-36-7 dated 2-7-37 His petition is therefore rejected

By order

2/2/41

Secy. to Govt.,
Gen. Dept.

no. 1355- dated 5-4-37

Copy forwarded with compliments to the Inspr Genl Comm. for information.

By order,

2/2/41

Secy. to Govt
Gen. Dept